

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

UNITED STATES OF AMERICA, et al.,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

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Civil Action No. 1:23-cv-00108-LMB-JFA

**DECLARATION OF DAN TAYLOR
IN SUPPORT OF DEFENDANT GOOGLE LLC'S REVISED OBJECTIONS TO
THE PUBLIC DISCLOSURE OF CONFIDENTIAL INFORMATION AT TRIAL**

I, Dan Taylor, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a Vice President of Global Ads at Google LLC ("Google"). I have been employed by Google since August 2006 and have held my current position since May 2021. I submit this Declaration in support of Google's Revised Objections to the Public Disclosure of Confidential Information at Trial pursuant to the Court's August 9, 2024 Order.

2. Based on my work at Google, I have personal knowledge of the company's practices and procedures for maintaining the confidentiality of its strategic, business, and financial information, as well as the impact of publicly disclosing such information. The contents of this Declaration are true and correct to the best of my knowledge, information, and belief, and are based on Google's policies and practices as they relate to the treatment of confidential information, the materials that were provided to me and reviewed by me, and/or informed by conversations with other knowledgeable employees of Google. If called upon as a witness in this action, I could and would testify competently thereto.

3. Google follows a strict practice that requires confidential treatment of its product and customer data; internal strategic business plans; non-public financial information; and internal business

analyses of customer spending, revenue, pricing, industry conditions, and opportunities. In my experience and to the best of my knowledge, in order to protect itself from competitive harm, Google takes significant precautions to ensure that this information is not made public, and does not disclose documents or information of this nature outside of the company, with the exception of certain documents that Google shares with partners or fiduciaries, subject to further confidentiality requirements.

4. I have reviewed the trial exhibits identified below, and I believe that the sealing (or redaction, when specified) of those exhibits is necessary to protect Google's trade secrets and proprietary information.

5. I have reviewed PTX1075, PTX1761, DTX1041, DTX1187, DTX1190, DTX1411, DTX1413, DTX1414, DTX1431, and DTX1617. These documents consist of recent or current financial analysis, including profit and loss data, analysis, and methodology for business units within Google, internal reports of Alphabet's financials by Alphabet's auditors, and recent or current revenue, expense, margin, and headcount data, including for many Google products. Neither Google nor Alphabet discloses this information in public SEC filings at the granular level represented by these exhibits. Public disclosure of the information contained in these exhibits would provide Google's competitors with unfair access to Google's financial analyses, trajectory, and priorities, and could harm Google's competitive position in the marketplace. For this reason, Google strictly maintains the confidentiality of this competitively sensitive information.

6. I have reviewed PTX1066, PTX1768, DTX1554, DTX2135, DTX2136, DTX2137, DTX2138, DTX2139, DTX2140, DTX2141, and DTX2142. These exhibits contain recent or current strategy discussions and analyses related to Google's products, including discussions and analyses concerning product sales approach and pricing to specific customers, customer trends and market conditions, internal Google infrastructure and expenditures, product alterations and modifications, and product development. Disclosure of this information could allow competitors to predict Google's future product decisions, and could harm Google's competitive position in the marketplace. For this reason, Google strictly maintains the confidentiality of this competitively sensitive information.

7. I have reviewed PTX0977. This exhibit contains detailed customer information, including recent or current pricing terms as well as recent or current commercially sensitive non-pricing contractual terms and arrangements and customer spending and account information. Disclosure of this information would provide Google's competitors with unfair access to Google's future business strategy and confidential customer terms and data and could harm Google's customers as well as Google's competitive position in the marketplace. For this reason, Google strictly maintains the confidentiality of this competitively sensitive information.

8. I have reviewed PTX1772, DTX1008, DTX1039, DTX1042, DTX1059, DTX1073, PTX1097, DTX1120, DTX1185, DTX1206, DTX1375, DTX1473, DTX1613, DTX2040, and DTX2041, along with Google's proposed redactions. Google's proposed redactions encompass detailed, recent or current profit and loss data and analysis; revenue, expenditure, and margin breakdowns; and strategy for Google's products. Neither Google nor Alphabet discloses this information in public SEC filings at the granular level represented by these exhibits. Public disclosure of this information would provide Google's competitors with unfair access to Google's financial analyses, trajectory, and priorities and could harm Google's competitive position in the marketplace. For this reason, Google strictly maintains the confidentiality of this competitively sensitive information.

9. I have reviewed PTX1068, PTX1069, PTX1119, PTX1611, PTX1663, PTX1669, PTX1757 (also marked as DTX1040), DTX1036, DTX1049, DTX1053, DTX1062, and DTX1527, along with Google's proposed redactions. Google's proposed redactions encompass Google's future, ongoing plans with regard to product development and analyses of Google's sales approach to specific segments of customers. Disclosure of such recent strategy evaluation could allow competitors to predict Google's future product and sales decisions, and could harm Google's competitive position in the marketplace. PTX1611 further contains statistics of recent customer spending on Google's products, the disclosure of which would allow competitors insight into client-specific relationships that are competitively sensitive to Google and could harm Google's customers as well as Google's competitive position in the marketplace. For this reason, Google strictly maintains the confidentiality of this competitively sensitive information.

10. I have reviewed PTX0219, PTX0957, PTX0974, PTX0996, PTX1063, PTX1065, PTX1787, DTX1048, DTX1125, DTX1250, DTX1261, DTX1262, DTX1504, DTX1970, DTX2106, and DTX2107, along with Google's proposed redactions. Google's proposed redactions encompass recent or current pricing as well as recent or current commercially sensitive non-pricing contractual terms and arrangements as well as specific customers' spending on Google products. Disclosure of this information would provide Google's competitors with unfair access to Google's future business strategy and confidential customer terms and could harm Google's customers as well as Google's competitive position in the marketplace. For this reason, Google strictly maintains the confidentiality of this competitively sensitive information.

11. I have reviewed PTX1406, PTX1407, PTX1408, PTX1409, PTX1436, PTX1437, PTX1438, PTX1440, PTX1444, PTX1445, PTX1447, PTX1448, PTX1449, PTX1450, PTX1451, PTX1452, PTX1453, PTX1454, PTX1468, DTX1837, DTX1845, DTX1846, DTX1983, DTX1988, DTX1989, DTX1993, as well as Google's proposed redactions. Google's proposed redactions redact from expert tables and figures identifying information of Google's customers as associated with recent spend, payouts, wins, impressions, and performance data. Disclosure of this information would provide Google's competitors with unfair access to Google's confidential customer information and could harm Google's customers as well as Google's competitive position in the marketplace. For this reason, Google strictly maintains the confidentiality of this competitively sensitive information.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 22, 2024, in Washington, D.C.

Signed by:

Dan Taylor

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Dan Taylor, Vice President Google LLC